

COMPLIANCE ASSURANCE RESPONSE POLICY

INDEX

A

Ability to pay, as penalty mitigation, VI-14
Access to DES files, I-16, V-1
Administrative fine, I-12, V-14, VI-3
 Authority, *App. V-1*
 Calculating, using scheduled amounts, VI-3
 using matrix, VI-4
 number of days, VI-9
 number of events, VI-9
 violations included, VI-10
Follow-up, V-20
Hearing, VI-18
Initiation of, V-15
Motion for reconsideration, V-19
Procedures, V-15, *App. V-2*
Resolution, V-16
 case initiated by offered settlement, V-16
 field citations, V-16
 hearing, V-18
 standard notice, V-16
 standard notice, settlement, V-17
Administrative inspection warrants, IV-3
Administrative order, I-11, V-11
 Appeal process, V-13
 hearings, V-14
 settlements, V-14
 Effect of, V-11
 Follow-up, V-12
 Issuance of, V-11
 Modifications to, V-12
Administrative order by consent, I-11, V-10
 Effect of, V-10
 Follow-up, V-11
 Issuance of, V-10
 Modifications to, V-10
Administrative rules, I-3, II-3
Air Resources toll-free telephone number, II-7
Alleged violation letter, VI-6
Appeal of AO, V-13
 See also motion for reconsideration
Assistance, technical and financial, III-1
 Obtaining financial assistance, III-4
 Obtaining technical assistance, III-1, *App. III-1*
Attorney General's Office, referral to, I-13, V-20
Authority to enter on private property, IV-2,
 App. IV-1

B

Brownfields cleanup revolving loan fund, III-8
Brownfields program, III-7

C

Calculating penalties, VI-2
Civil penalties, calculating, VI-7
Complainant confidentiality, V-1
Compliance history, I-6, VI-14
Conditional penalty suspensions, VI-15
Cooperation, factor considered, I-5, VI-14
Cost recovery action, V-22
Cost recovery statutes, *App. V-3*
Criminal search warrants, IV-4
Cross-program and inter-agency referrals, I-5

D

DES public education and outreach strategy, II-1
DES public participation policy, II-9, *App. II-1*
Determination of response to violation, I-5
 Primary factors considered, I-5
Determining compliance/non-compliance, I-2
Deviation from requirement, I-5, VI-1, VI-4
Drinking water state revolving loan fund, III-5
Documenting penalty calculations, VI-19

E

Economic benefit, I-5, VI-1, VI-2
Education and outreach through the media, II-4
Enforcement, I-7, Chapter V
Enforcement and related mechanisms, V-3
Enforcement document elements, V-1
Entry interview, IV-6
Environmental education, II-7
Enforcement forbearance, I-6
Environmental self-audits, VI-12
Environmental laws, I-2, Glossary
Environmental management system, I-5, Glossary
Exit interview, IV-7

F

Fact sheets, II-2
Federal penalty policies, VI-7, *App. VI-4*
Federal "timely and appropriate" policies, *App. I-1*
Field citations, I-12, V-15, V-16, VI-3
Financial assistance, obtaining, III-4
 Brownfields program, III-7
 Closure of solid waste facilities, III-4

CARP Index

Financial assistance, obtaining, cont'd

- Drinking water projects, III-5
- ODD, FOD, MOD funds, III-6
- Used oil grant program, III-7
- Water pollution control, III-5

Fuel oil discharge cleanup fund, III-6

G

- General Approach to Compliance Assurance, I-2
- Guidance Documents, II-3

H

- Hearings, administrative fine, VI-18
 - Appeal hearings, V-14

I

- Illegal competitive advantage, VI-2, *App. VI-3*
- Imminent hazard order, I-12, V-11
- Inability to pay as penalty mitigation, VI-14
- Information requests, IV-8
- Intent, I-6
- Inspection checklists, IV-6
- Inspections and information requests, IV-1
- Inspections, nature and scope, IV-1
 - Right to inspect, IV-2, *App. IV-1*
 - Notice, IV-5
 - During an inspection, IV-6
 - Post-inspection follow-up, IV-7
- Inspectors, IV-2
- Intern programs, II-8
- Investigations, I-4

J

- Jurisdiction, I-3

K

- Knowledge of requirements, I-6

L

- Letter of deficiency, I-10, V-4
- License action, I-8, I-11, V-7
 - Effect of, V-7
 - Grounds for, V-7
 - Initiation of, V-9
 - Resolution of, V-9

M

- Minimum cash penalty payment, VI-14
- Motion for reconsideration, V-19
- Motor oil discharge cleanup fund, III-7

N

- New Hampshire right-to-know law, I-15
- Newsletters, II-3
- Notice of findings, I-10, V-6
- Notice of past violation, I-10, V-3
- Notice of pending inspection, IV-5
- Notice of proposed admin. fine, V-15, V-16, VI-3

O

- ODD fund, III-6
- Oil spill clean-up funds, III-6
- Outreach activities, II-4
- Ozone information toll-free number, II-7

P

- Penalties, stipulated, VI-18
- Penalty adjustments, new information, VI-11
- Penalty authority, *App. V-1, App. VI-1*
- Penalty calculations and documentation, VI-1
- Penalty calculation, initial, VI-2
 - Economic benefit, VI-2
 - Administrative fines, VI-3
 - Civil penalties, VI-9
 - Number of violations, VI-9
- Penalty matrix for administrative fines, VI-4
 - for civil penalties, VI-7
- Penalty mitigation, VI-11
- Penalty policies, federal, VI-7, *App. VI-4*
 - Program-specific, *App. VI-2*
- Penalty settlements, VI-11
 - General considerations, VI-11
 - Adjustments for new information, VI-11
 - Mitigating factors, VI-11
 - Minimum cash payment, VI-14
 - Reducing the amount of cash paid, VI-15
- Pollution prevention toll-free number, II-7
- Press releases, II-4
- Printed outreach materials, II-2
- Prior notice of inspections, IV-5
- Promoting environmental stewardship, II-7
- Public education and outreach strategy, II-1
- Public access to files, I-15
 - Access to DES files, I-16
 - NH right-to-know law, I-15
- Public access to enforcement files, V-1
 - File contents, V-1
 - Complainant confidentiality, V-1
- Public information and permitting office, II-2
- Public information center, II-2
- Public participation policy, II-9, *App. II-1*
- Public service announcements, II-5

R

- Reckless or willful conduct, I-8
- Referral to Attorney General's Office, I-13, V-20
 - Effect of, V-20
 - Process, V-20
- Response time targets, I-14
- Right-to-know law, I-15

S

- Samples, IV-6
- Search and seizure issues, IV-4
- Search warrants, criminal, IV-4
 - see also administrative inspection warrants*
- Selecting the appropriate response, I-8
 - Considerations, I-8
 - Selecting a response, I-10
 - Appropriate penalties, I-13
- Self-reporting, I-6, VI-13
- SEPs, VI-16
 - Allowable offset, VI-16
 - Evaluation checklist, *App. VI-5*
 - Value, VI-17
- Settlement policies, program-specific, *App. VI-2*
- Small business, penalty mitigation for, VI-14
- Small business assistance toll-free no., II-7
- State aid for brownfields cleanup, III-8
 - for municipal incinerator closure, III-4
 - for public water system surface water treatment, III-6
 - for used oil collection centers, III-7
 - for water supply land conservation, III-6
- State revolving loan fund for brownfields, III-8
 - for municipal solid waste landfills, III-4
 - for public drinking water systems, III-5
 - for water pollution control projects, III-5
- Stipulated penalties, VI-18
- Supplemental environmental projects, VI-16
 - Allowable offset, VI-16
 - Evaluation checklist, *App. VI-5*
 - Value, VI-17
- Surface water treatment grants, III-6

T

- Technical and financial assistance, III-1
 - Obtaining financial assistance, III-4
 - Brownfields program, III-7
 - Closure of solid waste facilities, III-4
 - Drinking water projects, III-5
 - ODD, FOD, MOD funds, III-6
 - Used oil grant program, III-7
 - Water pollution control, III-5

- Obtaining technical assistance, III-1
 - Before violations found by DES, III-2
 - After violations found by DES, III-3
 - After violations are corrected, III-3
- Threat of harm, I-6, VI-1, VI-4
- Timeliness
 - Federal timely/appropriate policies, *App. I-1*
 - Response time targets, I-14
- Toll-Free telephone numbers, II-7

U

- Used oil disposal toll-free number, II-7
- Used oil grant program, III-7

V

- Volunteer programs, II-8

W

- Warrants, administrative inspection, IV-3
 - criminal search, IV-4
- Water supply land grant program, III-6
- Web site, II-5